

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS,  
EASTERN DIVISION**

CLEAN ENERGY CHOICE COALITION, NFP,	)	
	)	
Plaintiff,	)	
	)	25-CV-04353
v.	)	
	)	Hon. Judge Franklin U. Valderrama
VILLAGE OF OAK PARK,	)	
	)	
	)	
Defendant.	)	

**DEFENDANT’S UNOPPOSED MOTION FOR AN EXTENSION OF TIME  
TO FILE A RESPONSIVE PLEADING**

NOW COMES the Defendant, Village of Oak Park, by and through Assistant Village Attorney Tony S. Fioretti, and moves this Court for an order granting Defendant’s Unopposed Motion for an Extension of Time to File a Responsive Pleading pursuant to Rule 6(b) of the Federal Rules of Civil Procedure. In support thereof, Defendant states as follows:

1. Plaintiff, Clean Energy Choice Coalition, NFP, filed the instant suit on April 22, 2025. Summons issued the same day.
2. On April 30, 2025, a summons return was filed as executed on April 23, 2025, which automatically generated a filing deadline for Defendant of May 14, 2025. (Dkt. No. 9).
3. However, the service affidavit indicates that the process server was *not* able to serve anyone at Village Hall on April 23, 2025. (Dkt. No. 9).
4. Nevertheless, the Defendant was served on April 29, 2025.
5. Defendant requires time to investigate the claims in Plaintiff’s lawsuit and prepare a meaningful defense.
6. Defendant requests that this Court grant an additional 45 days from May 14, 2025 to file a responsive pleading to Plaintiff’s complaint.

7. Such an order would change the deadline for Defendant's responsive pleading to June 30, 2025. (45 days from May 14 is Saturday June 28, the following business day is Monday June 30, 2025). *See* Fed. R. Civ. P. 6(a)(1)(C).

8. The time initially given to the Defendant (in error) to file an answer or otherwise plead has not yet expired.

9. Defendant has not sought any previous extensions of time in this case.

10. This motion is not being made for the purpose of delay, but is made based upon current staffing, the need to investigate Plaintiff's claims, properly evaluate the case, and the need for additional time to prepare a complete response.

11. The undersigned contacted counsel for Plaintiff on May 12, 2025 to inquire as to Plaintiff's position on the instant motion, and Plaintiff does not object to a 45-day extension of time to file a responsive pleading.

**WHEREFORE**, Defendant prays that this Court will enter an Order granting Defendant an additional 45 days until June 30, 2025 to file a response pleading.

**Respectfully submitted,**

/s/ Tony S. Fioretti

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